

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6110
Obama Victory Fund and Andrew)
Tobias, in his official capacity as)
treasurer; Democratic National)
Committee and Andrew Tobias, in his)
official capacity as treasurer; Obama for)
America and Martin Nesbitt, in his)
official capacity as treasurer; Square)
Root Sales; Senate Realty Corporation;)
M&A Development, LLC; VIDA)
Fitness; Urban Salons, Inc., d/b/a Bang)
Salon Spa)

AMENDED CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on November 17, 2009, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 6110:

1. Dismiss the allegation that Square Root Sales violated 2 U.S.C. § 441b(a).
2. Dismiss the allegation that Senate Realty Corporation violated 2 U.S.C. § 441b(a), and send a cautionary letter.
3. Dismiss the allegation that M&A Development, LLC, violated 2 U.S.C. § 441b(a), and send a cautionary letter.
4. Dismiss the allegation the Obama Victory Fund and Andrew Tobias, in his official capacity as treasurer, violated the Act based on the alleged receipt of contributions from Square Root Sales, Senate Realty Corporation and M&A Development, LLC.
5. Dismiss the allegation that the Democratic National Committee and Andrew Tobias, in his official capacity as treasurer, violated the Act based on the alleged receipt of contributions from Square Root Sales, Senate Realty Corporation and M&A Development, LLC.
6. Dismiss the allegation that Obama for America and Martin Nesbitt, in his official capacity as treasurer, violated the Act based on the alleged receipt of contributions from Square Root Sales, Senate Realty Corporation and M&A Development, LLC.

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7. Find no reason to believe that the Obama Victory Fund and Andrew Tobias, in his official capacity as treasurer, violated 11 CFR § 102.17(c) in connection with the Concert for Change.
8. Find no reason to believe that the Democratic National Committee and Andrew Tobias, in his official capacity as treasurer, violated 11 CFR § 102.17(c) in connection with the Concert for Change.
9. Find no reason to believe that Obama for America and Martin Nesbitt, in his official capacity as treasurer, violated 11 CFR § 102.17(c) in connection with the Concert for Change.

13. Find no reason to believe that the Obama Victory Fund and Andrew Tobias, in his official capacity as treasurer, violated 2 U.S.C. § 441b(a) in connection with the VIDA Fitness/Bang Salon event.
14. Dismiss the allegation that VIDA Fitness violated 11 CFR § 102.17(c).
15. Dismiss the allegation that Urban Salons, Inc., d/b/a Bang Salon Spa violated 11 CFR § 102.17(c).
16. Find no reason to believe that OVF violated 11 CFR § 102.17(c) with respect to the solicitations for the VIDA Fitness/Bang Salon fundraiser.
17. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated August 26, 2009, subject to the revisions previously circulated and any necessary technical and conforming amendments pursuant to the meeting discussion.
18. Approve the appropriate letters.
19. Close the file in MUR 6110.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Walther voted affirmatively for the decision. Commissioner Weintraub recused herself with respect to MUR 6110 and did not vote.

November 25, 2009
Date

Attest:
Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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